

Atty. Dkt. No. 200208954-1

### REMARKS

This Reply is in response to the Final Office Action mailed on August 25, 2006. In view of the following, reconsideration and allowance of the pending claims is requested.

I. Claim Rejections – 35 USC § 102.

Claims 7-10 stand rejected under 35 USC § 102(b) as being anticipated by Blackman et al (US 6,167,231), hereinafter ("Blackman").

Claim 7 recites "**media sensing circuitry** for receiving a media sheet from the input tray and configured to determine print-impairing characteristics on the media sheet and to convey the media sheet to the media-inverting duplexing path in response to determining one or more **print-impairing characteristics on the media sheet.**" (Emphasis added). Applicants submit that Blackman does not disclose such media sensing circuitry.

In particular, Blackman discloses a sensor 40. Applicants submit that the Blackman sensor 40 is not "media sensing circuitry" and does not determine print-impairing characteristics "**on the media sheet.**" Rather, the Blackman sensor 40 "detects the ambient humidity" (Blackman, Col. 6, lines 64-65) and does not detect any thing "on the media sheet". The Blackman sensor 40 also "serves to indicate whether the duplex media handling system is installed" (Blackman Col. 6, lines 61-62), but does not determine print-impairing characteristics "**on the media sheet.**"

Accordingly, Applicants submit that claim 7 is not anticipated by Blackman because Blackman fails to disclose media sensing circuitry as recited in claim 7. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. (MPEP 2131). Here, Blackman does not teach the media sensing circuitry as recited in claim 7 at least because the Blackman sensor 40 is not a media sensor and does not determine one or more print-impairing characteristics "on the media". Because Blackman fails

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to disclose the media sensing circuitry of claim 7, Applicants submit that the anticipation rejection of claim 7 based on Blackman is improper and should be withdrawn. Withdrawal of this rejection is requested.

Claims 8-10 depend upon claim 7 and are allowable for at least the same reasons claim 7 is allowable. Withdrawal of these rejections is requested. These claims also recite additional limitations not disclosed by the Blackman reference. For example, the Blackman humidity sensor 40 is not "configured to detect on a side of the media sheet at least one of an amount and location of the print-impairing characteristics of a previous printing to determine a usable side of the one media sheet" as recited by claim 8 since the Blackman sensor 40 does not distinguish sides of the media. As another example, the Blackman sensor 40 does not "direct inversion of the media sheet to an opposite side to determine a usable side when detected" but rather detects ambient humidity and does not determine a usable side as recited in claim 9. For at least these reasons, Applicants submit that these claims are allowable. Withdrawal of these rejections is requested.

## **II. Allowable Subject Matter**

Claims 1-6 and claims 11-20 are allowed.

Applicants agree with the Examiner's conclusions regarding patentability, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicants believe that the application is allowable because the prior art fails to teach, anticipate, or render obvious the invention as claimed, independent of how the invention is paraphrased.

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**III. Conclusion.**

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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